

Prob12B  
D/NV Form  
Rev. June 2014

**United States District Court  
for  
the District of Nevada**

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**REQUEST WITHDRAWAL OF VIOLATION PETITION  
May 31, 2023**

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Name of Offender: **Elias Cordero-Perez**

Case Number: **2:21CR00066**

Name of Sentencing Judicial Officer: **Honorable Richard F. Boulware**

Date of Original Sentence: **March 16, 2021**

Original Offense: **Deported Alien Found in the United States**

Original Sentence: **35 Days prison, followed by 36 Months TSR.**

Date Supervision Commenced: **March 16, 2021**

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**PETITIONING THE COURT**

☒ To dismiss, without prejudice, petition for summons for offender under supervision (ECF No. 41) filed on January 11, 2023.

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**CAUSE**

On January 11, 2023, the probation office filed a petition for summons for offender under supervision (ECF No. 41) to initiate revocation proceedings. It is alleged Cordero-Perez violated his release conditions by testing positive for methamphetamine on six (6) occasions and failing to report for drug testing on 11 occasions. Your Honor ordered the issuance of a summons on the same date. Cordero-Perez was scheduled to make his initial appearance before this court on January 26, 2023, however, this hearing was vacated, and has not been rescheduled.

On April 26, 2023, Immigration and Customs Enforcement (ICE) took Cordero-Perez into custody and he was ultimately removed from the United States on May 16, 2023.

Cordero-Perez is scheduled to complete supervised release on March 15, 2024. Since Cordero-Perez has been deported and is unable to reenter the United States legally, he will not be available for revocation proceedings. As such, it is recommended the petition filed on January 11, 2023, be dismissed without prejudice. Should the court agree with this recommendation his supervision will expire on March 15, 2024, and the court will no longer retain the authority to address the violations alleged in the petition. However, should Cordero-Perez reenter the United States prior to his

**RE: Elias Cordero-Perez**

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expiration date a petition will be refiled to resume revocation proceedings. Assistant United States Attorney Melanee Smith concurs with this recommendation.

Respectfully submitted,



Digitally signed by Javier  
Muruato-Cortez  
Date: 2023.06.01 08:46:08  
-07'00'

Javier Muruato  
U.S. Probation Officer

Approved:



Digitally signed by Todd  
Fredlund  
Date: 2023.05.31 18:08:29  
-07'00'

Todd J. Fredlund  
Supervisory United States Probation Officer

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***THE COURT ORDERS***

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- ☐ No Action.
- ☒ The withdraw of petition without prejudice.
- ☐ Other (please include Judicial Officer instructions below):

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Signature of Judicial Officer

6/1/2023

Date